IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.74983-M of 2006

DATE OF DECISION: JANUARY 29, 2007

Hukam Chand and others

...PETITIONERS

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Jitender Dhanda, Advocate,
for the petitioners.
Mr.A.K.Rathee, AAG, Haryana.

...

The petitioners have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.221 dated 30.8.2006 registered under Sections 399/402/387/384 IPC and Sections 25/54/59 of the Arms Act at Police Station Dharuhera, District Rewari.

I have heard the counsel for the parties and gone through the contents of the FIR.

I have been informed by the State counsel that petitioner No.1 is accused in ten other cases of similar nature. Keeping in view the nature of allegations and the fact that petitioners No.1 to 3 were arrested on the spot and some weapons were also recovered from their possession, I do not find any ground to grant regular bail to them at this stage.

Dismissed qua petitioners No.1 to 3.

Counsel for the petitioners contends that as far as petitioner No.4 is concerned, he was not arrested on the spot and was arrested on the next date on the statement of co-accused. Except the said statement of co-accused, there is no other material against the said petitioner. Counsel further contends that similarly situated co-accused, namely, Ram Avtar alias Pappu and Virender, who were also arrested subsequently on the statement of co-accused, have been granted regular bail by this Court vide order dated November 28, 2006 passed in Crl.Misc.No.68502-M of 2006. These facts

have not been disputed by the State counsel.

Keeping in view the aforesaid facts, I deem it appropriate to grant regular bail to petitioner No.4-Sabbir, and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

January 29, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE